

Carlton, Jr. was rushed by ambulance to Dekalb Medical Center where CT scans demonstrated a C4 on C5 cervical vertebrae subluxation and C5 fracture with C4 facet fracture. Carlton, Jr. was then transferred to Eggleston Children's Hospital for further medical care.

Upon admission to Eggleston Children's Hospital, a MRI was performed which revealed a 20-degree angulation on C4 and C5 and an associated 5-mm subluxation. On December 29<sup>th</sup>, the treating physician performed an external reduction of the subluxation using a halo traction modality. A few days later another MRI was performed that showed continued subluxation with a traumatic disk herniation. The herniation was pressing upon the spinal cord.

On January 5, 2000, Orthopaedic surgeons performed invasive surgery instituting a C3 through C5 arthrodesis with auto graft lateral mass plating. Carlton, Jr. remained in the pediatric intensive care unit until January 10, 2000. Carlton endured a most serious and painful injury, celebrated the transition into the year 2000 in the intensive care ward, and was millimeters away from complete paralysis. Carlton Jr. will be compromised for the rest of his life as a direct result of his injuries.

We are enclosing copies of Carlton's medical records and billing statements that we have obtained to date from Dekalb County EMS, Dekalb Medical Center, Radiology Associates of Dekalb, Eggleston Children's Hospital, the Emory Clinic - Pediatric Neurosurgery for your review. We will provide you with additional medical records and bills, as they become available.

*Carlton's medical expenses are in the approximate amount of \$47,137.*

**JULON GREGORY:**

Julon and Carlton are brothers. Julon is seventeen years old. Julon Gregory suffered chest wall contusion, neck, shoulder head and back soft tissue injuries.

We are enclosing the medical records and billing statements we have obtained to date from Dekalb Medical Center, Radiology Associates of Dekalb and Rehab Orthopedic Medicine regarding treatment for Julon's injuries.

*Julon's medical expenses are in the approximate amount of \$2,458.*

**CHRISTOPHER WHITE:**

Christopher White was a passenger in Julon Gregory's motor vehicle. Christopher suffered contusions and soft tissue injuries. Christopher was treated at Dekalb Medical Center. We will provide you with copies of Christopher's medical records and bill upon receipt thereof.

*Christopher's medical expenses are in the approximate amount of \$600.*

MONTLICK & ASSOCIATES, P.C.  
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May 31, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

ENTERED - 6-12-00 - SB  
00L0336 - DOBBS JORDAN

Bill Campbell  
Mayor, City of Atlanta  
2400 City Hall  
55 Trinity Ave, SW  
Atlanta, Georgia 30335

Clifford Hardwick  
City Attorney of Atlanta  
4100 City Hall Tower  
68 Mitchell Street  
Atlanta, Georgia 30335

Beverly Harvard  
Chief of Police  
Atlanta Police Department  
175 Decatur Street  
Atlanta, Georgia 30335

RE: ANTE LITEM NOTIFICATION  
Pursuant to O.C.G.A. §§ 36-33-5 & 50-21-26

Our Client: Carlton Gregory, Jr.; Julon Gregory,  
Christopher White and Carlton  
Gregory, Sr.  
Date of Incident: December 26, 1999  
Location: Joe Jerkins Blvd. Austell, Georgia  
through intersection of Memorial  
Drive and Covington Highway,  
Decatur Georgia.

Dear Sirs and Madam:

Please be advised that this firm represents the interests of Carlton Gregory, Jr.; Julon Gregory; Christopher White and Carlton Gregory Sr. for injuries received as a result of an incident on December 26, 1999. This letter shall constitute ante litem notice pursuant to applicable statutes.

FACTS

On or about December 26, 1999, at or about 11:20 p.m., just one day after Christmas, Julon Gregory was operating a 1990 Geo Prizm, owned by Carlton Gregory, Sr. Carlton Gregory, Jr. and Christopher White were passengers in the subject 1990 Geo Prizm, seated in the back seat. Mr. Gregory's vehicle was proceeding under a green light through the intersection of Memorial Drive and Covington Highway, Dekalb County, Georgia when suddenly and without warning his vehicle was broadsided at a high rate of speed by a 1989 Buick LeSabre motor vehicle operated by Keeon J. Almon. At time of the collision, Keeon J. Almon was being

JORDAN  
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pursued by Sgt. John L. Poulk of the K-9 Unit of the Austell Police Department and Atlanta Police Units. It is our understanding and belief based on our investigation that Officer Poulk and the Atlanta Police did not follow proper protocol, initiated and continued a high speed chase through several jurisdictions and unnecessarily endangered the lives of the motoring public, to wit: Carlton Gregory, Jr., Julon Gregory and Christopher White as well as any and all other individuals injured and/or who suffered damages as a result of the subject collision.

### LIABILITY

This incident occurred as a result of the negligence of Sgt. John L. Poulk and the Atlanta Police, and any and all other employees of the City of Austell and City of Atlanta who ignored his/their public duty to the safety of the driving public by participating in an improper and unsafe high speed chase, failing to exercise and follow proper protocol thereby exposing Carlton Gregory Jr. and Julon Gregory as well as any and all other individuals injured and/or who suffered damages to unnecessary harm and injury. Officer Poulk and Atlanta Police continued to chase Keeon J. Almon through Dekalb County with his siren and lights turned off. Officer Poulk's and Atlanta City Police's conduct was in reckless disregard of the safety of Carlton Gregory, Jr.; Julon Gregory and Christopher White as well as any and all other individuals injured and/or who suffered damages in the subject collision.

This claim is based on general theories of negligence under Georgia Law including but not limited to O.C.G.A. § 40-6-6-(d)(1). Additional theories of negligence may include the negligent hiring and retention of an employee and the negligent supervision of the employee. At this time these theories are not inclusive and additional theories may be alleged as our investigation continues.

You are hereby informed that Carlton Gregory, Jr., Julon Gregory, Christopher White and Carlton Gregory, Sr. make their claims as a result of the negligence of the City of Austell and its employee John L. Poulk, Atlanta Police Officers and any and all other employees of the city of Austell and the city of Atlanta who may have caused or contributed to the cause of Carlton Gregory, Jr., Julon Gregory and Carlton Gregory, Sr. injuries and losses who are not yet known. We ask that you please investigate this matter and contact us upon completion of your investigation. This notice is presumed to comply with all notice requirements unless you advise us differently within ten (10) days of the date of this letter.

### INJURIES

#### CARLTON GREGORY, JR.:

Carlton Gregory, Jr. was 15 years old at the time of the collision. He was a passenger, seated in the passenger side, rear seat, of his father's vehicle. Unfortunately the point of impact was at the exact area of where Carlton Jr. was seated. The speed of the chase vehicle is estimated at somewhere between 60mph to 80mph at the time of impact. Carlton Jr. suffered a fractured neck as a result of the impact.